

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK SHAUN LOVEDAY,

Petitioner, No. CIV S-05-0105 GEB DAD P

vs.

M. YARBOROUGH, Warden,

Respondent. ORDER

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Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 25, 2006, the court filed findings and recommendations recommending that this action be dismissed for petitioner's failure to comply with the court's April 24, 2006 order. On May 24, 2006, petitioner requested an extension of time to comply with the court's April 24 order.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed on May 25, 2006, are vacated;
2. Petitioner's May 24, 2006 request for an extension of time is granted; and

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3. Petitioner is granted thirty days from the service of this order in which to file his opposition or non-opposition to respondent's motion to dismiss which was filed on December 6, 2005.

DATED: June 1, 2006.

Dale A. Drozd
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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